

Message Text

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60

ACTION IO-14

INFO OCT-01 NEA-10 ISO-00 AID-20 SS-20 OIC-04 NSC-10

CIAE-00 INR-10 JUSE-00 NSAE-00 RSC-01 SNM-02 SY-10

TRSE-00 USIA-15 SCI-06 OMB-01 AGR-20 PA-04 PRS-01

DRC-01 /150 W

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R 271627Z FEB 74

FM USMISSION GENEVA

TO SECSTATE WASHDC 4305

DEA WASHDC

INFO AMCONSUL ADANA

AMEMBASSY ANKARA

AMCONSUL ISTANBUL

AMCONSUL IZMIR

AMEMBASSY NEW DELHI

UNCLAS GENEVA 1297

FROM USDEL CND

E.O. 11652: GDS

TAGS: SNAR: TK

SUBJ: TURKISH POPPY BAN

REF: GENEVA 1290

TRANSLATED TEXT OF AMBASSADOR KIRCA STATEMENT AT THIRD
CND SPECIAL SESSION ON AGENDA ITEM 9 POPPY CULTIVATION
FOR MEDICAL AND SCIENTIFIC PURPOSES IS QUOTED BELOW.
QUOTE MR. CHAIRMAN,

1. WE HAVE LISTENED WITH GREAT ATTENTION TO THE INTER-
VENTIONS MADE SO FAR ON AGENDA ITEM 9. IT IS ALREADY
CLEAR THAT TWO IMPORTANT POINTS EMERGE FROM THESE DISCUS-
SIONS.

2. FIRST, ALL DELEGATES AGREE ON RECOGNIZING THAT OPIUM
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SUPPLY RISKS NOT TO COVER THE MEDICAL AND SCIENTIFIC

NEEDS OF THE INTERNATIONAL COMMUNITY. THERE ARE, OF COURSE, DIFFERENT OPINIONS AS TO THE IMPORTANCE OF THIS SHORTAGE AND THE IMMINENCE OF ITS CONSEQUENCES, BUT IT IS TRUE THAT ALMOST ALL AGREE THAT THE PROBLEM EXISTS.

3. SECONDLY, OPINIONS DO NOT AGREE ON THE MEANS TO BE EMPLOYED TO RESOLVE THIS PROBLEM. ON THIS LATTER POINT, THE TURKISH DELEGATION BELIEVES THAT IN REFLECTING ON THE MEANS, WE MUST CONSTANTLY BEAR IN MIND THE PROVISIONS CONTAINED IN RELEVANT INTERNATIONAL TREATIES IN FORCE. AS FAR AS TURKEY IS CONCERNED, IT IS A PART OF THE SINGLE CONVENTION OF 1961, AND ITS LAWS ARE PERFECTLY IN ACCORDANCE WITH THIS TREATY.

4. THE MEANS TO BE ENVISAGED TO COPE WITH THIS PROBLEM CANNOT CONFLICT WITH THESE PROVISIONS OF INTERNATIONAL RIGHTS WHICH DETERMINE BOTH THE RIGHTS AND THE OBLIGATIONS OF THE MEMBER STATES.

5. I MUST IN PARTICULAR POINT OUT THAT NO PROVISION OF THIS CONVENTION CAN BE INVOKED AS BEING LIKELY TO BE THE JURIDICAL BASIS FOR A MONOPOLY OR A QUASI-MONOPOLY THAT IN POINT OF FACT ONE WOULD WISH TO INSTITUTE - TO THE ADVANTAGE OF A SINGLE COUNTRY WHICH WOULD BE CONSIDERED - UNDER ONE DOES NOT KNOW WHAT INTERNATIONAL AUTHORITY - THE ONLY ELIGIBLE ONE TO INSURE OPIUM SUPPLY IF NOT OF THE WHOLE WORLD AT LEAST OF A VERY LARGE PART OF IT. THIS WOULD BE TANTAMOUNT TO ASKING OTHER STATES WHICH ARE PART OF THE SINGLE CONVENTION OF 1961, TO TAKE ON - ONE EQUALLY DOES NOT KNOW UNDER WHAT INTERNATIONAL JURIDICAL INSTRUMENT - OBLIGATIONS OF AN ALMOST EVER-LASTING NATURE, TO ABSTAIN FROM OPIUM CULTIVATION, ALTHOUGH SUCH OBLIGATIONS ARE NOT CONTEMPLATED IN ANY JURIDICAL INSTRUMENT IN FORCE. A STATE CAN PERMIT THE CULTIVATION OF POPPY IN ITS TERRITORY. IN THIS CASE IT MUST, OF COURSE, ACT IN ACCORDANCE WITH CERTAIN CONDITIONS PUT BY THE CONVENTION I HAVE JUST MENTIONED. AS LONG AS IT ACTS IN ACCORDANCE WITH THESE CONDITIONS, ONE CAN NEITHER BLAME IT, NOR PREVENT IT FROM DOING SO.

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IF IT DECIDES TO PROHIBIT THIS CULTIVATION, IT IS A DECISION WHOSE ELEMENTS CAN SOLELY BE EVALUATED AT ITS OWN DISCRETION. ONE CANNOT INTERPRET IN ANY OTHER WAY THE RELEVANT PROVISIONS OF THE SINGLE CONVENTION.

6. IT IS, THEREFORE, ABSOLUTELY NECESSARY THAT WHEN GOVERNMENTS ENVISAGE FINDING SOLUTIONS TO THE PROBLEM OF OPIUM SHORTAGE, THEY MUST MAKE A CLEAR DISTINCTION

BETWEEN THEIR OWN DESIRES AND THE JURIDICAL OBLIGATIONS OF STATES; IT IS, INDEED, NECESSARY THAT THEY KNOW FROM THE START THAT ALL MEASURES THAT THEY RECOMMEND BEYOND THESE OBLIGATIONS CAN ONLY BE TERMED AS A PURE AND SIMPLE SUGGESTION. IF WE FORGET THESE ELEMENTARY POINTS, WE RISK TO ADVANCE ON UNCERTAIN GROUND; THIS CAN ONLY BE THE SOURCE OF MISUNDERSTANDINGS AND FRICTION.

7. IN CONCLUDING, MR. CHAIRMAN, I MUST SAY THAT IN MY GOVERNMENT'S OPINION NO LICIT POSSIBILITY CAN, ACCORDING TO THE TERMS OF THE SINGLE CONVENTION, BE DISCARDED WHEN IT IS A QUESTION OF FINDING VALID SOLUTIONS TO THE PROBLEMS OF OPIUM SHORTAGE WHICH IS A SOURCE OF PRE-OCCUPATION TO US. THANK YOU, MR. CHAIRMAN. UNQUOTE.
DALE

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